

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

\* \* \*

LOUIS VIGNOLA, *et al.*,

Plaintiffs,

vs.

CHARLES ALFRED GILMAN, JR., *et al.*,

Defendants.

2:10-CV-02099-PMP-GWF

**ORDER**

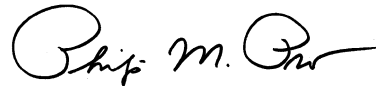
Before the Court for consideration is Defendant Auto-Owners Insurance Company's fully briefed Motion for Separate Trials pursuant to Rule 42(b) of the F.R.C.P. (Doc. #161).

This case arises from a tragic motorcycle accident occurring on July 22, 2010, which caused the death of Nancy Ouellet. The Court concludes that trial of the remaining claims on behalf of Ms. Ouellet against Charles Gilman, Jr., driver of the automobile involved in the accident, should appropriately be tried separately from Plaintiffs' claims against Defendant Auto-Owners Insurance Company for breach of contract, common law bad faith, and violation of C. R. S. §§ 10-3-115 and -1116. The Court concludes that as the claims against the respective Defendants do not involve common questions of law or fact, a consolidated trial would prejudice said Defendants to a significantly greater degree than any prejudice resulting to Plaintiff by bifurcation of trials.

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2           **IT IS THEREFORE ORDERED** that Defendant's Motion for Separate Trials  
3 Pursuant to Rule 42(b) of the F. R. C. P. (Doc. #161) is **GRANTED**.

4           **IT IS FURTHER ORDERED** that the trial of Plaintiffs' claims against  
5 Defendant Charles Gilman, Jr. shall proceed first, following which a trial of Plaintiffs'  
6 claims against Defendant Auto-Owners Insurance Company will proceed.

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8 DATED: August 19, 2013.

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12 PHILIP M. PRO  
13 United States District Judge  
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